

11. The method of claim 9, wherein:
the [implement assembly] lift arm assembly further
has a support plate,
the support plate has a second coupling aperture
defined therethrough, and
the pin further extends through the second coupling
aperture when the pin is located in the second pin
position.

REMARKS

The Office Action dated March 3, 1999 has been carefully reviewed. Claims 1-20 are pending in this patent application. Reconsideration of this application, in light of the following remarks, is respectfully requested.

35 U.S.C. § 112 Rejection of Claim 11

Claim 11 was rejected under 35 U.S.C. § 112 as being indefinite. Claim 11 has been amended to more clearly define the invention. Accordingly, claim 11 is believed to be in proper form.

35 U.S.C. § 102 Rejection of Claims 1-3, 5-11, 13-18, and 20 (Burton)

Claims 1-3, 5-11, 13-18, and 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,769,596 issued to Burton ("Burton"). Reconsideration of claims 1-3, 5-11, 13-18, and 20, is respectfully requested in light of the following comments.

Discussion Re: Patentability of Claim 1

I. Claim 1

Claim 1 reads as follows:

1. A method of verifying proper coupling of an implement assembly to a lift arm assembly by an operator who is located in a cab of a work machine, with (i) the work machine including the implement assembly and the lift arm assembly, (ii) the implement assembly including a hinge plate, (iii) the hinge plate having a first coupling aperture extending therethrough, (iv) the lift arm assembly having a lift arm and a cylinder, and (v) the cylinder being secured to the lift arm, comprising the steps of:

actuating the cylinder so as to move a pin from a first pin position to a second pin position, wherein (i) the pin is spaced apart from the first coupling aperture when the pin is located in the first pin position, and (ii) the pin extends through the first coupling aperture when the pin is located in the second pin position; and

viewing the pin when the pin is located in the second pin position by the operator from a position within the cab whereby proper coupling of the implement assembly to the lift arm assembly is verified by the operator without having to exit the cab. (emphasis added)

The invention provides a method of verifying proper coupling of an implement assembly to a lift arm assembly by viewing the pin when the pin is located in the second pin position *by the operator from a position within the cab*. In other words, the invention allows the operator to visually verify, from a position within the cab, that the pin extends through the first coupling aperture, and therefore is in the second pin position.

II. Claim 1 is not anticipated by Burton

As pointed out by the Examiner on page 2, line 19, of the Office Action Burton recites the following passage:

Accordingly, the operator may easily see the end portions of the pins and visually determine whether the bucket 11 is safely attached to the coupler 10. (see column 4, lines 6-8)

However, Burton does not teach the above discussed limitation recited in Applicant's claim 1. Specifically, Burton does not teach a method of verifying proper coupling of an implement assembly to a lift arm assembly by viewing the pin when the pin is located in the second pin position *by the operator from a position within the cab*. Applicant respectfully submits that teaching that the operator may easily see the end portions of the pins and visually determine whether the bucket is safely attached to the coupler does not equate to the above discussed limitation of Applicant's claim 1. In particular, Burton does not teach that the operator can see the end portions of the pins and visually determine whether the bucket is safely attached to the coupler *from a position within the cab of the work machine*.

It is axiomatic that anticipation of a claim under 35 U.S.C. § 102 is proper only if the prior art reference discloses each and every element of the claim. Burton does not disclose each and every element of Applicant's claim 1. As a result, in light of the above discussion, Applicant respectfully submits that Burton does not anticipate claim 1, and respectfully requests the reconsideration thereof.

If the rejection of claim 1 is maintained after considering the remarks presented herein, the Examiner is respectfully requested to specifically indicate where the above limitation is disclosed in the Burton reference (e.g. by line and column number). More specifically, the Examiner is respectfully requested to identify, with particularity (e.g. by column and line number), where Burton discloses that the operator can see the end portions of the pins and visually determine whether the bucket is safely attached to the coupler from a position within the cab of the work machine.

Discussion Re: Patentability of Claims 2, 3, 5, and 6

Each of claims 2, 3, 5, and 6 include claim 1 as a base claim. As a result, each of claims 2, 3, 5, and 6 is allowable over the cited art.

Discussion Re: Patentability of Claim 7

The discussion regarding the patentability of claim 1 is relevant to the patentability of claim 7. As a result, claim 7 is allowable over the cited art.

Discussion Re: Patentability of Claims 8, 9, 10, 11, 13, and 14

Each of claims 8, 9, 10, 11, 13, and 14 include claim 7 as a base claim. As a result, each of claims 8, 9, 10, 11, 13, and 14 is allowable over the cited art.

Discussion Re: Patentability of Claim 15

The discussion regarding the patentability of claim 1 is relevant to the patentability of claim 15. As a result, claim 15 is allowable over the cited art.

Discussion Re: Patentability of Claims 16, 17, 18, and 20

Each of claims 16, 17, 18, and 20 include claim 15 as a base claim. As a result, each of claims 16, 17, 18, and 20 is allowable over the cited art.

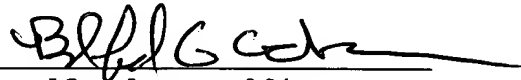
35 U.S.C. § 103 Rejection of Claims 4, 12, and 19

Claims 4, 12, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Burton in view of Bloom (U.S. Patent No. 5,010,962). This rejection is improper since the proposed combination of Burton and Bloom does not arrive at the invention of claims 4, 12, or 19. This is true since each of claims 4, 12, and 19 respectively include claims 1, 7, and 15 as a base claim and, as discussed above, Burton does not disclose verifying proper coupling of an implement assembly to a lift arm assembly by viewing *the pin* when the pin is located in the second pin position *by the operator from a position within the cab*. Moreover, Bloom does not cure the aforementioned deficiency of Burton, since Bloom also fails to teach the aforementioned limitation. Therefore, a combination of these two references does not arrive at the claimed invention. As a result, claims 4, 12, and 19 are believed to be in allowable form.

Conclusion

In view of the foregoing amendments and remarks, it is submitted that this application is in condition for allowance. Action to that end is hereby solicited.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Bradford G. Addison', is written over a horizontal line.

Bradford G. Addison
Attorney for Applicants
Registration No. 41,486

June 3, 1999

Maginot, Addison & Moore
Bank One Tower
111 Monument Circle, Suite 3000
Indianapolis, Indiana 46204-5130
Phone: (317) 638-2922
Fax: (317) 638-2139